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Letter dated 12 November 2018 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

I have the honour to submit herewith the decisions of the meeting of the National Pre-Transitional Committee on the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan held in Khartoum on 21 and 22 October 2018 (see annex).

Having brought this matter to your kind attention, I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Omer Dahab Fadl **Mohamed**
Permanent Representative

18-19269 (E) 041218

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Annex to the letter dated 12 November 2018 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Resolutions of the National Pre-Transitional Committee, coming out of its first meeting, held in Khartoum on 21 and 22 October 2018

The National Pre-Transitional Committee at its 1st Meeting after extensive and cordial deliberations RESOLVED that:

1. The Government of the Republic of South Sudan make available to the National Pre-Transitional Committee (NPTC) the sum of SSP 100 million and $1 million US to facilitate the initial activities of the Committee during the Pre-Transitional Period.

2. The National Pre-Transitional Committee (NPTC) immediately opens two current National Pre-Transitional Committee Fund bank accounts at the Bank of South Sudan. The accounts shall be in national and foreign currencies respectively, and will be used for the purpose of financing the Pre-Transitional activities.

3. The Committee shall open the NPTC Partners Fund bank accounts.

4. The National Pre-Transitional Committee (NPTC) undertakes to meet, over the coming days, with the leadership of the SPLM/IO and SSOA in Khartoum, and with the leadership of the incumbent TGoNU, FDs and OPP in Juba respectively. Discussions will focus on efforts to build trust among the parties and to address issues that will help to further promote peace in South Sudan.

5. The various Committees constituting the Agreement Institutions and Mechanisms are directed to prepare the budgets for their operations and submit the same to the National Pre-Transitional Committee (NPTC) no later than two weeks from the signing of these Resolutions by the Committee Chairman.

6. The second meeting of the Committee (NPTC) shall take place in Juba or any other place to be agreed upon by the Chairperson in consultation with his two deputies and communicated to the members by the Chairperson, on November 3–4, 2018.

By ORDER of the Chairman of the National Pre-Transitional Committee.

Hon. Tut Gatluak Manimee — Chairperson NPTC

National Pre-Transitional Committee (NPTC)

Draft Terms of Reference

October 2018

Further to Article 1.4.7 of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), the Terms of Reference for the National Pre-Transitional Committee (NPTC) shall be as follows:

1. Mandate

The NPTC pursuant to its formation by the President of the Republic of South Sudan shall:

(i) Coordinate and have oversight responsibility for the implementation of the activities of the eight (8) month Pre-Transitional Period in collaboration with the Incumbent TGoNU;

(ii) Draw the road map for implementing the political tasks of the Pre-Transitional Period. This will include a detailed time table and workable plan of action for the completion of all the tasks set out in Article 1.4.3 of the R-ARCSS;

(iii) Address issues of VIP security based on details of security arrangements and preparations worked out for new Ministers, among others;

(iv) Submit monthly written reports to the Chairperson of the Reconstituted JMEC (RJMEC), the parties and other stakeholders;

(v) Prepare a detailed budget for the activities of the Pre-Transitional Period as outlined in Article 1.4.3 of the R-ARCSS;

(vi) Establish a Fund, to be drawn from government funds and contributions of donors, for the implementation of the activities of the Pre-Transitional Period;

(vii) Agree on the special account set up to keep the funds and its operational arrangements, as well as the bank in which funds will be deposited by the Ministry of Finance and Planning of the incumbent TGoNU;

(viii) Manage the fund transparently and report on it monthly to the President of the Republic of South Sudan and to the Parties;

(ix) Oversee the tasks and progress of the Technical Boundaries Commission (TBC), the Independent Boundaries Commission (IBC) and the Referendum Commission on Number and Boundaries of States (RCNBS);

(x) Oversee the reconstitution of the Council of States; and

(xi) Reconstitute the Disarmament, Demobilization and Re-Integration Commission (DDR Commission), the Joint Defense Board (JDB), the Strategic Defense and Security Review Board (SDSRB), and the Joint Military Ceasefire Commission (JMCC).

2. Secretariat in support of NPTC

An NPTC Secretariat shall be established to assist the committee in the day to day discharge of its responsibilities.

3. Composition and Quorum of the NPTC

The NPTC shall comprise ten (10) members representing the Parties as follows: five (5) for Incumbent TGoNU, two (2) for SLPM/A-IO, one (1) for SSOA, one (1) for FDs, and one (1) for OPP, as outlined in Article 1.4.7.1 of the R-ARCSS. It shall be chaired by the Incumbent TGoNU representative with two Deputy Chairs to be nominated by the SPLM/A-IO and SSOA respectively.

As outlined in the Rules of Procedure and Decisions of the NPTC, the quorum will consist of [] of the 10 members [] of whom shall be from the Incumbent TGoNU and at least [] from the other members. All the decisions of the committee shall be adopted by consensus.

4. Financing and Operational Support

As part of the general support for the pre transitional activities the NPTC shall include in that budget a spending line for its own operations and projected activities including support to the Secretariat formed to assist in its operations.

The NPTC shall give full account and justification for its spending and include a financial monthly report to RJMEC, parties and other stakeholders as part of its regular reporting functions.

Where and when necessary the NPTC shall seek administrative, technical and logistical support from IGAD, the African Union and the United Nations.

5. Notice of Meetings and Agendas

Regular meetings of the NPTC shall be convened by the Chairman at least once weekly. Draft agendas shall be circulated to all members of the NPTC together with the official request for meetings no less than 48 hours in advance of any such meetings. Any member of the NPTC can suggest additional agenda items before it is formally accepted at the start of each meeting.

The Chair can call for extraordinary meetings of the NPTC at any time or on the request of at least two other members of the NPTC. Draft agendas will be circulated when the request is made to members to attend.

6. Rules of Procedure and Decisions of the NPTC

Separate and detailed rules of procedure governing the conduct of the NPTC are attached as an addendum to this TOR. It also covers detailed rules governing the setup, management and operation of the Fund for the financing of all pre-transitional activities covered under the R-ARCSS.

7. Minutes and Records

The Secretary selected by the Board shall be responsible for keeping detailed minutes of all the meetings of the NPTC and shall ensure that such meetings are duly circulated to all members in as short a time as possible after the conduct of meetings.

The NPTC shall be responsible for keeping all records of the meetings as well as all financial records of disbursements and grants received, which shall be made available to all members, and the RJMEC.

8. Observers to Meetings of the NPTC

In the conduct of its regular and extraordinary meetings the NPTC will allow for observers of the RJMEC and the IGAD Secretariat to sit in on its regular and

extraordinary meetings. This is to allow for smoother monitoring and evaluation of the pre-transitional period.

The NPTC may also invite other observers as it deems necessary to either some of all of its meetings.

9. Period of Operation

The NPTC shall remain in operation for a period of eight (8) months from the time of its inception, which is referred to as the Pre-Transitional period in the R-ARCSS.

NPTC — Draft Roadmap for Implementation of the Pre-Transitional Tasks

No	*Tasks*	*Specific Actions Required by the NPTC*	*Comments*	*Timing*
1.	Establish NPTC (Art. 1.4.7)	1. Attend the first meeting in Khartoum 2. Agree on TOR, Rules of Procedure and Roadmap 3. Begin work on Budget Proposal 4. Agree on Rules governing management of the Pre-Transitional Fund (PTF) 5. Agree on venue and timing of future meetings	The first meeting to be convened by the IGAD Secretariat bringing together all ten members of the NPTC	October 21–22, 2018
2.	Reconstitute Key Agreement Institutions and Mechanisms	1. Prepare the TOR's and Operational Procedures for the following: Disarmament, Demobilization and Re-Integration Commission (DDR Commission), Joint Defense Board (JDB), Strategic Defense and Security Review Board (SDSRB), and the Joint Military Ceasefire Commission (JMCC). 2. Agree a framework of reporting by mechanisms to NPTC and JMEC. Also detail feedback process to these mechanisms 3. Convene initial meetings of mechanisms	These mechanisms will take the lead in formulating specific plans for: (i) disarmament (ii) disengagement and separation of forces (iii) cantonment (iv) demobilization (v) demilitarization of civilian areas etc. The NPTC will however actively monitor their work and ensure implementation	To be completed by November 15, 2018
3.	Disengagement and separation of forces (Art. 2.2.2)	1. Monitor closely with the help of the security mechanisms 2. Provide timely feedback where timelines are missed	In setting up the various mechanisms the NPTC will ensure a verifiable reporting system to enable it to closely monitor implementation	To completed by November 15, 2018
4.	Disarmament, Demobilization, Cantonment etc. (Art. 2.2.3)	1. Supervise closely the work of the responsible mechanisms in (2) above to ensure adherence to timelines 2. Provide timely feedback to the mechanisms to ensure conformity to the agreed upon schedule 3. Make available budgeted funding 4. Monitor closely use of funds	The security mechanisms must report regularly to the NPTC and JMEC in order to monitor implementation	To be completed by End-December 2018

No	*Tasks*	*Specific Actions Required by the NPTC*	*Comments*	*Timing*
5.	Training and redeployment of unified forces (Art. 2.2.10)	1. Close supervision by the NPTC 2. Make available budgeted funding 3. Monitor closely use of funds	The NPTC will ensure close compliance with stated rules focused on transparency and accountability	Starting End-December 2018
6.	VIP Arrangements for returning opposition (Art. 1.4.7.3)	1. Coordinate with opposition parties on timing etc. 2. Provide necessary resources 3. Liaise directly with forces selected to provide security 4. Meet with parties to brief on progress agree on a workable solution	The NPTC will take full responsibility for working out the details of the security arrangements together with the security mechanisms and the international community	To be completed by the start of the Transition period
7.	Disseminate R-ARCSS to South Sudanese population both in the country and outside (Art. 1.4.3.1)	1. Collaborate with the IGAD Secretariat and JMEC to help in underwriting associated costs 2. Engage international donors to help fund campaign 3. Include as budgeted costs	This is an important exercise to ensure buy-in by the population of the R-ARCSS.	Throughout the 8 month Pre-Transitional Period
8.	Prepare a budget for activities of the Pre-Transitional Period (Art. 1.4.7.3)	1. Calculate the overall cost for sustaining the Pre-Transitional Institutions and Mechanisms 2. Calculate costs associated with disarmament demobilization, cantonment, training etc. 3. Calculate the costs involved in the process of national healing and reconciliation adopting a matrix of activities 4. Calculate costs associated with VIP Security 5. Calculate the costs for maintaining the TBC, IBC and RCNBS 6. Determine overall funding requirements 7. Decide on I-TGoNU share of funding	Wherever possible the NPTC will employ the services of subject matter and financial experts to help in determining reliable estimates to be used in the budget, particularly with respect to demobilization, cantonment and military training costs. Initial work to commence at first meeting of the NPTC.	To be completed by November 9, 2018

No	*Tasks*	*Specific Actions Required by the NPTC*	*Comments*	*Timing*
		8. Decide on share of donor funding		
		9. Complete detailed budget		
9.	Establish Pre-Transitional Fund (PTF) (Art. 1.4.8)	1. Agree on the terms and conditions for managing the PTF	Wherever possible the NPTC should draw on the good offices of the IGAD Special Envoy to assist in making the case for assistance to the donors	To be completed by December 15, 2018
		2. Agree on the special account set up to keep the funds and its operational arrangements		
		3. Agree on the bank where funds will be deposited		
		4. Manage the fund transparently and report on it monthly to the President of the RSS and to the Parties		
		5. Meet with the I-TGoNU to agree on its contribution to the Fund based on the overall budget to cover the Pre-Transitional activities		
		6. Draw up a list of potential donors and arrange meetings with specific requests for assistance based on the budget		
10.	Organize process of national healing and reconciliation (Art. 1.4.3.3)	1. Adopt a matrix of activities consistent with the process of National healing and Reconciliation	NPTC to decide on specific actions and activities required to pursue healing and reconciliation	Over the eight month period
		2. Merge efforts with the already set up National Dialogue		
11.	Incorporate R-ARCSS in the TCRSS, 2011 (Art. 1.4.3.5)	1. Coordinate with the NCAC on the incorporation of the Bill	The NCAC will undertake this activity immediately upon being reconstituted and will keep the NPTC and JMEC informed of its progress	Complete no later than November 30, 2018; end Pre-Transition Period
		2. Ensure that the bill is ultimately signed by the President		

No	*Tasks*	*Specific Actions Required by the NPTC*	*Comments*	*Timing*
12.	Reviewing and drafting necessary bills consistent with the R-ARCSS (Art. 1.4.3.6)	Coordinate closely with the NCAC to ensure timely review and complete amendments to relevant National Security legislation including (i) The SPLA Act, 2009. (ii) National Security Service Act, 2014. (iii) The Police Service Act, 2009. (iv) The Prison Service Act, 2011. (v) The Wildlife Service Act, 2011 and (vi) the Fire Brigade Service Act 2009 (Art. 1.18.1.2)	The NCAC will undertake this activity immediately upon completion of incorporating the R-ARCSS into the TCRSS, and will keep the NPTC and JMEC informed of its progress	Complete no later than February 2019
13.	Perform tasks entrusted to the TBC, IBC and Referendum Commission on number and boundaries of States (Art. 1.4.3.2)	1. Oversee tasks performed by the Committees (Art. 1.15.1) 2. Ensure that the committees are properly constituted and performing their function 3. Meet periodically with committees to determine progress and help iron out emerging issues	These activities will be undertaken by the various committees but the NPTC will maintain a close watch to ensure implementation, and in particular their adherence to the strict deadlines	Complete no later than January 22, 2018
14.	Reconstitute the Council of States (Art 1.14.4)	1. Ensure timely reconstitution of States by closely following the activities of the IBC 2. Oversee the work of the IBC/RCNBS in that regard		Complete on expiry of term of the IBC
15.	Report to JMEC, Parties and other Stakeholders	1. Prepare and submit written monthly reports in a timely manner 2. Provide occasional face to face briefings to RJMEC		Throughout the 8 month Pre-Transitional Period

RULES OF PROCEDURE GOVERNING THE OPERATIONS OF THE NATIONAL PRE-TRANSITIONAL COMMITTEE — NPTC

AS ADOPTED BY THE COMMITTEE ON THE 22ND OF OCTOBER 2018 IN KHARTOUM

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RULES OF PROCEDURE GOVERNING THE OPERATIONS OF THE NATIONAL PRE-TRANSITIONAL COMMITTEE-NPTC

Pursuant to the provisions of Article 1.4.7 of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, the following Rules of Procedure that shall govern the Operations of the National Pre-Transitional Committee are hereby adopted and promulgated.

Application of the Rules

1. These rules of procedure, hereinafter The Rules, shall apply to any meeting of the National Pre-Transitional Committee and Sub-Committees thereunder, and shall enter into force upon adoption by the National Pre-Transitional Committee.

Power of The Committee

2. 1). The National Pre-Transitional Committee shall have all powers necessary for the execution of its functions under the R-ARCSS and these Rules of Procedure.

2). The mandate, exercise of powers, work, meetings and deliberations of the Committee shall be guided by the R-ARCSS and regulated by these Rules and Procedures.

Decision Making

3. 1). All the decisions of the Committee on all its agenda shall be made by consensus as provided for under Article 1.4.7.1 of the R-ARCSS.

2). The Chairperson shall strive to create consensus on every matter put up for decision before the Committee, without undue regard to the strength and number of nominees from the parties.

Presiding At NTPC Meetings

4. 1). The Chairperson shall preside at all meetings of the Committee.

2). If the Chairperson is absent during a meeting or any part thereof, the Deputy Chairperson nominated by the SPLMA/IO shall act as the Chairperson, who, while acting as Chairperson, shall have the same powers and duties as the Chairperson.

3). If the Chairperson and Deputy Chairperson nominated by the SPLMA/IO are absent during a meeting or any part thereof, the Deputy Chairperson nominated by SSOA shall act as the Chairperson, who, while acting as Chairperson, shall have the same powers and duties as the Chairperson.

4). The Chairperson and the Deputy Chairpersons shall at all times participate in the discussions of the Committee as Members and may also participate in creating consensus in that capacity.

MEETINGS OF THE COMMITTEE

Meetings of the Committee

5. 1). The Committee shall be so organized as to enable it to function continuously and shall meet as often as may be necessary and at least once a week. For this purpose, each Member of the Committee should be prepared, at short notice, to attend meetings of the Committee.

2). The Committee shall meet without delay and in any case within forty-eight hours should any party to the R-ARCSS refer a matter to it;

3). The Committee shall meet at the directives of the Chairperson in consultation with the Deputy Chairpersons;

4). The Committee may also meet at the request of any Member of the Committee, or of the Head of Secretariat; and

5). The Committee shall meet at the request of the IGAD Mediation, and/or the IGAD Special Envoy, R-JMEC and all the R-ARCSS Implementation institutions to consider any matter of an urgent character arising out of the role of the IGAD Mediation and/or the IGAD Special Envoy as prescribed in the R-ARCSS and to which they may wish to bring to the attention of the Committee.

Place of Meetings

6. 1). Meetings of the Committee shall be held in Juba or any other place in South Sudan as the Committee may decide.

2). Without prejudice to the provisions of sub-paragraph (1) above, meetings of the Committee may be held at places to be determined, from time to time, by the Chairperson in consultation with the Deputy Chairpersons.

Notice of Meetings

7. 1). The Secretariat shall notify each Member of the Committee as far in advance as possible and in any case not later than forty-eight (48) hours in advance of the calling and venue a Committee meeting.

2). No advance notice of the calling of a meeting shall be required when the Committee at an earlier meeting has decided the date, time and place of a meeting.

3). In case of emergency and in any other exceptional circumstances as the Chairperson or, in his absence or disability, the Vice-Chairperson acting as Chairperson may decide this time limit shall not apply.

AGENDA OF THE COMMITTEE

Matters under Consideration by the Committee

8. The Head of Secretariat, with the approval of the Committee, shall from time to time, as the Committee deems necessary communicate to all parties to the R-ARCSS and the stakeholders, the matters of general interest, which may be under consideration by the Committee.

Provisional Agenda

9. The Head of Secretariat shall prepare, in consultation with the Chairperson and the Deputy Chairpersons, the provisional agenda for meetings of the Committee. The provisional agenda shall include:

(a) All items which the Committee has previously decided to include in the provisional agenda;

(b) All items referred to the Committee by the Parties;

(c) All items the inclusion of which is requested by a member of the Committee;

(d) All items the inclusion of which is requested by IGAD Mediation and/or the IGAD Special Envoy, R-MEC or any of the partners and friends of South Sudan;

(e) Reports of the Head of Secretariat, including reports concerning action taken on decisions and recommendations of the Committee; and

(f) Such other items as the Head of Secretariat shall consider it necessary to include, after consultation with the Chairperson and the Deputy Chairpersons.

Circulation of the Provisional Agenda

10. 1). The provisional agenda for meetings and the supporting documents shall be sent to each Member as far in advance as possible, and in any case not less than forty-eight hours before the meeting. In exceptional circumstances, the Chairperson or, in his absence or disability, the Deputy Chairperson acting as Chairperson may waive this time limit.

2). The provisional agenda and the supporting documents shall also be sent as far in advance as possible to the IGAD Mediation, the IGAD Special Envoy and R-JMEC.

Explanatory Memoranda

11. Each matter brought to the attention of the Committee by the Head of Secretariat or proposed for inclusion to the agenda by any Member of the Committee, shall be accompanied by an explanatory memorandum and, if possible, by basic documents or by a draft resolution.

Circulation of Documents of Particular Importance

12. Documents of particular importance, such as reports prepared for the Cabinet, documents touching on Security arrangements and implementation of the milestones of the R-ARCSS, shall be sent to each Member as far in advance as possible, and in any case not less than seven days before the meeting at which they are to be considered.

Adoption of the Agenda

13. The Committee shall adopt the agenda for a meeting at the beginning of each meeting. However, the Committee may at any time decide in advance upon its agenda for a subsequent meeting or meetings, in which case no provisional agenda shall be laid before that meeting or those meetings for adoption.

Revision of the Agenda

14. During any meeting the Committee may revise its agenda by adding, deleting, deferring or amending any item.

CONDUCT OF BUSINESS AT MEETINGS

Closed and Open Meetings

15. The Committee may decide to hold closed or open meetings. In the absence of a decision to hold open meetings, meetings shall be closed.

Quorum

16. The quorum of the Committee shall be seven members out of which at least 3 (three) shall be from the opposition.

Functions of the Chairperson during the Committee Meetings

17. 1). The Chairperson shall declare the opening and closing of each meeting of the Committee, direct the discussions, ensure observance of these Rules, accord the right to speak, put questions and announce decisions. He shall rule on points of order and, subject to these Rules, have control of the proceedings of the Committee and over the maintenance of order at its meetings.

2). The Chairperson may propose to the Committee the limitation of the time to be allowed to speakers, the limitation of the number of dates each Member may speak on any question, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or adjournment of the meeting or the adjournment of the debate on the item under discussion.

3). The Chairperson shall, in exercising his functions, remain under the authority of the Committee.

4). No Member may address the Committee without having previously obtained the permission of the Chairperson. The Chairperson shall call upon speakers in the order in which they signify their desire to speak. The Chairperson may call a speaker to order if his remarks are not relevant to the subject under discussion.

Seeking Clarification

18. During the course of debate a Member may seek clarification and the request shall immediately be decided upon by the Chairperson in accordance with these Rules. A Member seeking clarification shall not speak on the substance of the matter under discussion.

Time for Speaking

19. The amount of time to be allowed to each Member to speak on any question may at any time be at the discretion of the Chairperson.

Adjournment of Deliberations on a Matter

20. During deliberations on any matter a Member may move for the adjournment of the discussions on the item under deliberation. If the Committee is in favor, the Chairperson shall declare the adjournment of the deliberations. The Chairperson may limit the time to be allowed to speakers under this Rule.

Closure of Deliberations

21. The Chairperson or any member of the Committee, may during any deliberations propose the closure of discussions on the item. If the Committee is in favor, the Chairperson shall declare the closure of the deliberations, after which the Committee shall make a decision on the item accordingly.

Proposals and Amendments

22. 1). Proposals shall be introduced in writing and handed to the Head of Secretariat, who shall notify the Chairperson of the same.

2). Upon the directive of the Chairperson in consultation with the Deputy Chairpersons any such proposals received shall be considered and shall be put in the agenda of the Committee where necessary, and in any other case shall be dealt with as deemed appropriate by the Chairperson.

3). The Chairperson or any Member may at any time before a decision is taken, propose any amendments to a proposal.

4). As a general rule, no proposal shall be discussed or put up for decision unless it has been circulated to all the Members not later than the day preceding the meeting.

5). The Chairperson in consultation with the Deputy Chairperson may, in exceptional cases, permit the discussion and consideration of a proposal even though such a proposal has only been circulated the same day.

Withdrawal of Proposals

23. A proposal may be withdrawn by its proposer at any time before a final decision is taken on it. A proposal which has thus been withdrawn will be put up for decision if reintroduced by any Member, and shall have the same right of precedence as the original motion or draft resolution would have had if it had not been withdrawn.

Proposals Involving Expenditure

24. A proposal involving expenditure shall not be put up for decision in the absence of a report from the Head of Secretariat on the administrative and financial implications of the proposal.

Participation of Specialized Organizations

25. 1). The IGAD Mediation, the IGAD Special Envoy, Restructured Joint Monitoring and Evaluation Commission, Representatives of Special Organizations such as the United Nations and the African Union, African Union Ad hoc Committee, Troika, China, Germany, European Union, Japan, IGAD Partners Forum, friends of South Sudan and well-wishers, may be invited to attend, as observers, the meetings of the Committee.

2). The partners may be invited to participate in the Committee deliberations as ex officio.

Records of Meetings

26. 1). Records of the meetings of the Committee shall be prepared by the Secretariat and distributed to the Members as soon as possible.

2). Member of the Committee and the Parties shall inform the Secretariat in writing, within one week after distribution of a record, of any corrections they wish to have made. All corrections received by the Secretariat within the time limit indicated above shall be consolidated in a single corrigendum issued for each meeting of the Committee.

Sub-Committees of the Committee

Establishment of Sub-Committees

27. The Committee may establish such sub committees and appoint such rapporteurs, as it may deem desirable.

Conduct of Business in Sub-Committees

28. Subject to any decision of the Committee and subject to these Rules, the conduct of business in sub-committees shall conform to these Rules.

The Secretariat

Establishment of the Secretariat

29. 1). There shall be established a Secretariat to assist the Committee in executing its mandate.

2). Under the direction of the Head of Secretariat, the Secretariat shall prepare papers on any matter submitted to it by the Committee; take minutes of the Committee meetings; receive, translate, reproduce and distribute documents of the Committee and sub-committees, as the case may be, prepare the monthly reports for the Committee's approval, prepare and circulate summary records of meetings, resolutions adopted by the Committee and any other documentation required; facilitate the interpretation at meetings; have custody of documents of the Committee, and generally perform all other work which the Committee may require.

Appointment of the Head of Secretariat

30. 1). The Head of Secretariat shall be proposed by the Chairperson in consultation with the two Deputy Chairpersons and approved by the Committee, taking into account the diversity of the parties.

2). The Head of Secretariat shall propose an appropriate structure for the Secretariat to be approved by the Committee.

3). The Head of Secretariat shall report to the Committee through the Chairperson.

Recruitment of Temporary Staff

31. The Committee may authorize the Head of Secretariat to engage such cadres of temporary staff as may be necessary for the effective fulfillment of the objectives and purposes of the Committee.

Engagement of Advisors, Experts and Consultants

32. 1). For the effective fulfillment of the objectives and purposes for which it is established, the Committee may authorize the Head of Secretariat to engage such number of advisors, experts and consultants as it may require.

2). The advisors, experts and consultants engaged under paragraph (1) shall:

a) be engaged in their individual capacities and in recognition of their personal expertise and competences in specific areas,

b) be impartial and reflect the diversity of the Committee, and

c) be engaged on such terms and conditions as the Committee may determine.

Expenses and Allowances

33. 1). The Committee shall approve payments for reasonable travel and accommodation expenses incurred by the Members for attending any Committee Meeting from the NPTC Fund. Such expenses shall be paid or reimbursed in accordance with the Rules Governing the Management of the NPTC Fund.

2). The Committee shall determine whether it may be necessary to make provisions for payment of allowances to the Members of the Committee for the

duration of the Committee and where the Committee resolves to pay such allowances to the Members, it shall decide the quantum and frequency thereof.

3). There shall be records of any such expenditure as provided for in the Rules Governing the Management of the NPTC Fund.

Amendment of the Rules

34. These Rules may be amended, subject to the provisions of the R-ARCSS, by consensus of the Members of the Committee.

Overriding Authority of the R-ARCSS

35. In the event of any conflict between any provision of these Rules and any provision of the R-ARCSS, the provisions of the R-ARCSS shall prevail.

RULES OF PROCEDURE GOVERNING MANAGEMENT OF THE NATIONAL PRE-TRANSITIONAL COMMITTEE (NPTC) FUND AND ACCOUNTS

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RULES GOVERNING THE MANAGEMENT OF THE FUNDS OF THE NATIONAL PRE-TRANSITIONAL COMMITTEE

ARTICLE 1.4.8 OF THE R-ARCSS

Pursuant to the provisions of Article 1.4.8 of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, the following Rules that shall govern the Operations of the National Pre-Transitional Committee Fund are hereby adopted and promulgated.

Finances of the NPTC

Composition and Objective of the Fund

1. (1) All funds, monies, or other finances appropriated to or otherwise intended for use of the Committee by the Ministry of Finance and Planning of the Incumbent TGoNU as provided for under Article 1.4.7.1 of the R-ARCSS.

(2) All funds, monies or other finances received by the Committee in the form of grants, gifts, donations and bequests for the use of executing the mandate of the National Pre-Transitional Committee.

(3) The Fund shall not be managed, administered, or disbursed for any other purpose except in accordance with the purposes of the Committee as provided for in these Rules and the relevant laws governing public finance management in the Republic of South Sudan.

Accounts of the Fund

2. (1) The Fund shall be held in two principal bank accounts:

(*a*) NPTC Fund Account to be opened in a bank that the Committee shall appoint;

(*b*) NPTC Partners Fund Account to be opened in a bank that the Committee may appoint:

Provided that nothing in this paragraph shall prevent the Committee from establishing more than one Partners Fund Account where it is necessary for the effective performance of its functions under the Act.

(2) Notwithstanding paragraph (1), before establishing any bank account, the Committee shall record a formal resolution authorizing the opening of such account.

(3) There shall be deposited into the NPTC Fund Account such monies as have been appropriated by the Ministry of Finance and Planning of the Incumbent TGoNU.

(4) There shall be deposited into the NPTC Partners Fund Account all monies received by the Committee in the form of grants, gifts, donations and bequests other than those specifically required to be deposited into the NPTC Fund Account.

Interest Earned from the Fund

3. Any interest earned from any of the NPTC Accounts shall unless otherwise specified by the contributor to the fund, be rolled over into the principal sum held in the relevant Fund Account.

Audit and Examination of the Fund

4. 1). The Committee may, if requested by the Ministry of Finance and Planning of the Incumbent TGoNU or any other person or agency which might have made a contribution to any of the accounts of the Fund, order an examination or independent enquiry into the accounts of the Fund.

2). the cost for conducting the audit shall be met by the Ministry of Finance and Planning of the Incumbent TGoNU, person or agency requesting for the audit.

Management Of The Fund

5. 1). The Head of Secretariat shall be responsible for the day-to-day management of the Fund and under supervision of the Committee, shall ensure that the provisions of these Rules are complied with;

2). Specifically, the Head of Secretariat shall ensure that:

(*a*) a proper income and expenditure account is prepared and presented to the Committee at intervals of every month;

(*b*) books of account and all other relevant documents are available for inspection by any member or other parties entitled to inspect them; and

Expenditure from the Fund

6. 1). The Head of Secretariat shall prepare and the Committee shall approve a comprehensive estimate of its expenditure on a monthly basis and such estimate shall specify:

(*a*) the line items of expenditure which the Committee expects to incur during that period;

(*b*) the specific Fund Account or Accounts out of which each line item is to be funded;

(*c*) the source or sources from which the monies drawn from a Fund Account supporting that line item are derived; and

(*d*) the projected cash flow for that period.

2). All expenditure of the Committee other than that required to be met from any particular Fund Account shall be charged to the NPTC Fund Account.

Approval of Payments from the Fund

7. 1). The Committee shall approve all the payments of monies from the accounts of the NPTC Fund accounts.

2). The Chairperson or any of the Deputy Chairpersons shall authorize the Head of Secretariat to withdraw monies from the accounts of the NPTC Fund as approved by the Committee.

Signatories to the Fund

8. 1). The signatories to all Fund Accounts shall be the Head of Secretariat and three members of staff of the Secretariat approved by the Committee.

2). All withdrawals of monies from the Fund Account shall carry the signature of the Head of Secretariat or Head of Finance of the Secretariat and that of any one of the signatories designated in paragraph 1.

Procedure for Incurring Expenditure

9. The following procedure shall be followed in respect of any expenditure to be incurred out of any of the Fund Accounts —

(*a*) Only the Committee shall have power to commit or incur expenditure out of any Fund Account;

(*b*) Payments shall be made by way of vouchers prepared by a member of staff of the Committee other than the Head of Secretariat and certified by the Head of Secretariat;

(*c*) No purchase orders shall be committed or issued without prior confirmation of funding in respect of that particular expenditure;

(*d*) All cash books shall be written up and balanced daily;

(*e*) bank reconciliation shall be prepared and received monthly; and

(*f*) any advances issued to any Committee member or member of staff of the Committee shall be surrendered fully before any subsequent advance is issued to the same member of staff.

Procurement Procedures

10. All procurement by or on behalf of the Committee shall be made in accordance with the provisions of the relevant public procurement and public finance management laws of the Republic of South Sudan.

Resource Mobilization

11. The Committee shall work with the IGAD Mediation, IGAD Special Envoy and other partners in the mobilization of resources for the Committee from sources to be identified and agreed upon by the parties and the stakeholders.

Final Financial Report

12. 1). The Committee, through the Head of Secretariat shall make monthly financial reports to the President of the Republic of South Sudan and to the Parties.

2). Thirty days to the expiry of the mandate of the Committee the Chairman shall, in a report, give an account and status of the finances of the Fund to the parties and stakeholders.

Bank Balances Upon Completion of the Committee Mandate

13. All the funds, monies, or other finances held in the accounts of the NPTC Fund accounts shall be settled as follows:

1). Finances in the NPTC Fund Account shall revert to the Ministry of Finance and Planning.

2). Finances in the NPTC Partners Fund Account shall be utilized as advised by the contributing partners in consultation with the Committee.

3). Any assets of the Committee whether fixed or movable, shall accrue to the R-TGoNU upon the dissolution of the Committee.

MEMBERS PRESENT DURING ADOPTION OF THESE RULES

1. HON. TUT GATLUAK MANIME	CHAIRPERSON
2. HON. HENRY DILHA ILOYA ODWAR	DEPUTY CHAIRPERSON
3. MR. GABRIEL CHANGSON CHANG	DEPUTY CHAIRPERSON
4. HON. DR. MARTIN ELIA LOMURO	MEMBER
5. HON. MICHAEL MAKUEI LUETH	MEMBER
6. HON. DR. DHIEU MATHOK DIING	MEMBER
7. HON. AWUT DENG ACUIL	MEMBER
8. HON. DENG ALOR KUOL	MEMBER
9. MR. PUOT KANG CHOL	MEMBER
10. MR. PETER MAYEN MAJONGDIT	MEMBER